

STATEMENT OF BASIS (AI No. 165344)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0124681 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Offshore Marine Contractors, Inc.
TRAM Shipyard
133 West 113th St
Cut Off, Louisiana 70345

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Christy Clark

DATE PREPARED: January 25, 2010

1. PERMIT STATUS**A. Reason For Permit Action:**

Issuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. NPDES permit – NPDES permit effective date: N/A
NPDES permit expiration date: N/A
EPA has not retained enforcement authority.

C. LPDES Individual Permit LA0124681 -
LPDES permit effective date: N/A
LPDES permit expiration date: N/A

D. Date Application Received: June 16, 2009. Additional information received via e-mail on August 5, 2009, August 6, 2009, October 21, 2009, and November 24, 2009. Additional information received via phone on October 30, 2009.

2. FACILITY INFORMATION**A. FACILITY TYPE/ACTIVITY – Liftboat repair and hull cleaning**

According to the application, Offshore Marine Contractors, TRAM Shipyard is a Liftboat repair and hull cleaning facility. The ratio of barge cleaning to barge repair is 2:1. The type of vessel cleaned at this facility is a Liftboat. Ballast tanks located on the Liftboat hull are cleaned periodically to remove silt build up. Occasionally a biodegradable soap (RD-110) is used to clean the ballast tanks. The maximum number of barges cleaned per day is 1 and the average number of barges cleaned during the facility's peak period is 2. The facility discharges on the average about 8-10 days per month.

Exterior hull blasting and exterior cleaning and pressure washing of the Liftboat's outside cabin and walkways using a biodegradable soap (RD-110) is also done at this facility.

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B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: I (per the Interim Strategy for Complexity Designation Determination for SIC codes 3731 and 3732)
3. Wastewater Type: III
4. SIC code: 3731

C. LOCATION - 24964 Hwy 1, Golden Meadow, Lafourche Parish
Latitude 29 14' 19", Longitude 90 12' 32"

3. OUTFALL INFORMATION

Outfall 001

Discharge Type: facility ballast water and void water
Treatment: none
Location: at the point of discharge from the vessel's hull prior to combining with other waters
Flow: intermittent, 70 GPD
Discharge Route: discharge pump to Bayou Lafourche

Outfall 002

Discharge Type: treated sanitary wastewater
Treatment: microphor marine sanitation device on the vessel
Location: at the point of discharge from the microphor marine sanitation device located on the vessel prior to mixing with other waters
Flow: intermittent, 15 GPD
Discharge Route: discharge pipe on treatment device to Bayou Lafourche

Outfall 003

Discharge Type: equipment washwater
Treatment: none
Location: at the point of discharge from the washing activity prior to combining with other waters
Flow: intermittent, 35 GPD
Discharge Route: directly to Bayou Lafourche

4. RECEIVING WATERS

STREAM - Bayou Lafourche

BASIN AND SEGMENT - Barataria Basin, Segment 020403

DESIGNATED USES -
a. primary contact recreation
b. secondary contact recreation
c. propagation of fish and wildlife
d. oyster propagation

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5. TMDL STATUS

Subsegment 020403, Bayou Lafourche, is not listed on LDEQ's Final 2006 303(d) List as impaired, and to date no TMDL's have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.

6. PROPOSED EFFLUENT LIMITS

BASIS: See rationale below

Since Offshore Marine Contractors owns both the TRAM Shipyard and the Liftboats that will be coming in for cleaning and repairs, the ballast waters discharged during the cleaning of the Liftboat hull's ballast tanks will be considered facility ballast and void waters. It is understood by LDEQ that the initial discharge of ballast waters from the Liftboat, discharges initially done at the facility prior to the cleaning of the ballast tank, are covered by the VGP and are, therefore not being permitted by LDEQ.

7. COMPLIANCE HISTORY/COMMENTS

1. OEC – There are no open, appealed, or pending enforcement actions as of January 5, 2010.
2. DMR Review/Excursions – There are no DMRs on file as of January 5, 2010.
3. Inspections – There are no inspections on file as of January 5, 2010.

8. ENDANGERED SPECIES

The receiving waterbody, Subsegment 020403 of the Barataria Basin is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated January 5, 2010 from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

9. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

10. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

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11. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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Rationale for Offshore Marine Contractors, Inc.

1. Outfall 001: facility ballast water and void water.

| Pollutant | Limitation | | Reference |
|----------------------------|-------------|-------------|--------------------------------|
| | Monthly Avg | Daily Max | |
| | mg/L | | |
| Flow, MGD | Report | Report | LAC 33:IX.2707.I.1.b. |
| TOC ¹ | --- | 50 | Similar discharges (LA0062588) |
| Oil & Grease ¹ | --- | 15 | Similar discharges (LA0108944) |
| Visible Sheen ² | --- | No presence | Similar discharges (LA0108944) |
| pH, s.u. | 6.0 (min) | 9.0 (max) | LAC 33:IX.1113.C.1 |

1. Discharge shall be sampled whenever there is a presence of a visible sheen.
2. When discharging.

BPJ Best Professional Judgment

Flow: Established in accordance with LAC 33:IX.2707.I.1.b. The monitoring frequency has been established at 1/event based on BPJ and similar discharges (Marmac, L.L.C., Belle Chasse Repair Yard, LA0108944, AI 42404).

TOC: Due to analytical interference with COD results stemming from high inorganic constituent concentrations, a daily maximum limitation of 50 mg/L with a monitoring frequency of 1/event when visible sheen is present has been established in lieu of a COD limitation based upon BPJ and similar discharges (Bollinger Calcasieu, L.L.C., LA0062588, AI 2164).

Oil & Grease: Daily Maximum limitation of 15 mg/L for Oil & Grease has been established with a monitoring frequency of 1/event when visible sheen is present based on BPJ and similar discharges (Marmac, L.L.C., Belle Chasse Repair Yard, LA0108944, AI 42404).

Visible Sheen: Daily maximum limitation of no presence and a monitoring frequency of 1/day when discharging have been established based on BPJ and similar discharges (Marmac, L.L.C., Belle Chasse Repair Yard, LA0108944, AI 42404).

pH: Established in accordance with LAC 33:IX.1113.C.1. The monitoring frequency has been established at 1/event based on BPJ and similar discharges (Marmac, L.L.C., Belle Chasse Repair Yard, LA0108944, AI 42404).

2. Outfall 002: treated sanitary wastewater

| Pollutant | Limitation | | Reference |
|-------------------------------|-------------|------------|------------------------------------|
| | Monthly Avg | Daily Max* | |
| | mg/L | | |
| Flow, MGD | Report | Report | LAC 33:IX.2707.I.1.b. |
| BOD ₅ | 30 | 45 | LAG530000 |
| TSS | 30 | 45 | LAG530000 |
| Fecal Coliform colonies/100ml | 14 | 43 | LAC 33:IX.1113.C.5.d and LAG530000 |
| pH, s.u. | 6.0 (min) | 9.0 (max) | LAC 33:IX.1113.C.1 |

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* The statistical basis differs from the LPDES Class I Sanitary Discharge General Permit (LAG530000). The weekly average limitation has been changed to a daily max limitation based on current guidance for sanitary wastewater at industrial facilities.

Flow: Established in accordance with LAC 33:IX.2707.1.1.b and the LPDES Class I Sanitary Discharge General Permit (LAG530000), Schedule B. The monitoring frequency has been established at 1/discharge based on BPJ.

BOD₅ and TSS: Daily maximum limitation of 45 mg/L and monthly average limitation of 30 mg/L have been established in accordance with the LPDES Class I Sanitary Discharge General Permit (LAG530000), Schedule B. The monitoring frequency has been established at 1/discharge based on BPJ.

Fecal Coliform: Daily maximum limitation of 43 colonies/100mL and monthly average limitation of 14 colonies/100mL have been established in accordance with LAC 33:IX.1113.C.5.d and the LPDES Class I Sanitary Discharge General Permit (LAG530000), Schedule B. The monitoring frequency has been established at 1/discharge based on BPJ.

pH: Established in accordance with LAC 33:IX.1113.C.1 and the LPDES Class I Sanitary General Permit for Treated Sanitary Wastewaters (LAG530000), Schedule B. The monitoring frequency has been established at 1/discharge based on BPJ.

3. **Outfall 003: Exterior Equipment Washwater**

| Pollutant | Limitation | | Reference |
|--------------------|---------------------|-------------|-----------------------|
| | Monthly Avg mg/L | Daily Max | |
| Flow, MGD | Report | Report | LAC 33:IX.2707.1.1.b. |
| COD | 200 | 300 | LAG480000 (BPJ) |
| TSS | --- | 45 | LAG480000 (BPJ) |
| Oil & Grease | --- | 15 | LAG480000 (BPJ) |
| Soaps & Detergents | Inventory Record | --- | LAG480000 (BPJ) |
| Visible Sheen | --- | No Presence | LAG480000 (BPJ) |
| pH, s.u. | 6.0 (min) | 9.0 (max) | LAC 33:IX.1113.C.1 |

Flow: Established in accordance with LAC 33:IX.2707.1.1.b and the LPDES Light Commercial General Permit (LAG48000), Schedule B. The monitoring frequency has been established at 1/quarter when discharging.

COD: Daily maximum limitation of 300 mg/L and monthly average limitation of 200 mg/L have been established in accordance with the LPDES Light Commercial General Permit (LAG48000), Schedule B. The monitoring frequency has been established at 1/quarter when discharging.

TSS and Oil & Grease: Daily maximum limitation of 45 mg/L for TSS and 15 mg/L for Oil & Grease have been established in accordance with the LPDES Light Commercial General Permit (LAG48000), Schedule B. The monitoring frequency for TSS and Oil & Grease has been established at 1/quarter when discharging.

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Soaps & Detergents: Inventory Record requirement has been established in accordance with the LPDES Light Commercial General Permit (LAG48000), Schedule B. The monitoring frequency has been established at 1/quarter when discharging.

Visible Sheen: Daily maximum limitation of No Presence has been established in accordance with the LPDES Light Commercial General Permit (LAG48000), Schedule B. The monitoring frequency has been established at 1/day when discharging.

pH: Established in accordance with LAC 33:IX.1113.C.1 and the LPDES Light Commercial General Permit (LAG48000), Schedule B. The monitoring frequency has been established at 1/quarter when discharging.

Storm Water Pollution Prevention Plan (SWP3) Requirement

A SWP3 is included in the permit because in accordance with LAC 33:IX.2511.A.1, storm water discharges shall not be required to obtain an LPDES permit "... except... discharges associated with industrial activity." In accordance with LAC 33:IX.2511.B.14.a-k, facilities classified as SIC code 4491 are considered to have storm water discharges associated with industrial activity. In addition to the SWP3, the barge BMPs will be applied because barge BMPs are comparable to the SWP3 requirements.

For first time permit issuance, the SWP3 shall be prepared, implemented, and maintained within six (6) months of the effective date of the final permit. **For renewal permit issuance,** the SWP3 shall be reviewed and updated, if necessary, within six (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in storm water discharges associated with industrial activity at the facility (see Part II of the permit).